

United States District Court
Middle District of Pennsylvania

Norman H. Shelton,

Plaintiff

"vs"

defendant.

Warden Bledsoe et al.

No. 4:11-CV-00368
(Judge Nealon)

FILED
SCRANTON

DEC 13 2011

MARY E. ANDREA, CLERK
Per _____
DEPUTY CLERK

Motion for Relief From Judgment Under
Civil Rules 60

Background,

On February 25, 2011 Norman H. Shelton, an inmate confined in the United States Penitentiary, Lewisburg ("USP-Lewisburg"), Pennsylvania, filed the above-captioned Bivens, action, pursuant to 28 U.S.C. § 1331. Plaintiff named as defendants Five (5), employees of U.S.P.-Lewisburg. Plaintiff raised claims of deliberate indifference to Plaintiff safety and excessive use of force with regard to events surrounding an August 30, 2009 and May 26, 2009 assault and battery upon Plaintiff by his cellies, and claims regarding Plaintiff resulting medical care, (Doc. 1, complaint).

In addition, Plaintiff generally alleged racial discrimination by staff and complained of various forms of mistreatment, including ("corporal punishment"). The use of restraints, harassment, and being deprived of water, lights and sleep.

1.) Plaintiff brought this civil suit to this Honorable Court seeking relief from the defendants, mistreatment, harassment, and most of all the use of excessive force. Plaintiff move this Honorable Court for relief from the judgment to dismiss the above captioned case. Plaintiff was and is represented by him-self and this Pro-se case. Plaintiff lawyers made appearance to this Honorable Court requesting for dismissal of "

2). Pro-se case. Plaintiff objects to the lawyers request and their appearance that they made to this Honorable Court to dismiss Plaintiff above captioned case. The lawyer's have violated Plaintiff trust by bring a motion to this Honorable Court to dismiss after Plaintiff wrote and mailed them a letter stating "Plaintiff wish to continue his Pro-se case by himself. And to, this Honorable Court did identify the elements of genuine issues and material facts to support Plaintiff's claims, by applying the "Rules of Law" is what this Honorable Court uses to measure the facts and the constitutional violation.

3). The rules of law is the Courts measuring stick of Facts that determines the success of Plaintiff receive justic from the in-justic that was inflicted upon Plaintiff by defendants, Heath, Potter, Whittaker, Raup, Galletta, Plaintiff have used the vehicle of truth from day one, To prevail over the in-justic and constitution violations done by the defendants under the scope of their employment and by their own omission. See, Ashcraft v. King, 228 Cal. App. 3d 604, 603 [Cal. App. 2d Dist. 1991]. (and see), Dunn v. Swanson, 217 N.C. 279, 280, 81, 7 S.E. 2d 563 564 (1940).

(Conclusion).

4.) Defendants abused of their authority and using excessive use of force whereas defendants caused serious harm to Plaintiff, and did it and a malicious way and without justification for it defendants sprayed a chemical spray into ~~my~~ face as blood ran from ~~my~~ eyes, nose and mouth. with ~~my~~ handcuffed behind ~~my~~ back.

Certificate of Service

under the penalty of perjury, Plaintiff state that the following is true and correct, that Plaintiff mailed the enclose document to the following address.

To:

United States District Court
William J. Grealan, Federal Bldg U.S.Courtouse
235 North Washington Ave
P.O.Box 11418
Scranton Pa. 18501-11418

and

United States Attorney office
Middle District of Pennsylvania
228 Walnut Street Suite 220
Harrisburg Pennsylvania 17108-1754